

The Committee met on January 13. Board Members Fraser, Mitchell, Burrell were in attendance at the meeting. Mr. Barry Green, Mr. Dick Hickman, and representatives from the Department of Mental Health were also in attendance. Mr. Proffitt remarked about the good exchange of information during the meeting, emphasizing that this avenue of exchange is why the Liaison Committee was put together in the first place.

Two members from the Department provided updates to the members. Ms. Kim Lipp presented updated information with reference to the St. Brides construction projects. Mr. Ron Elliott followed with a report on the population for jails and prisons, noting that there had been a substantial drop in the jails population since last meeting.

Mr. James Matthews, with the State Compensation Board, highlighted several items in the Governor's proposed budget which will affect local jails; namely, a 3 percent salary increase effective December 1, 2005; funding for additional correctional officer positions in local jails; funding for 26 additional deputies; and funding for additional staffing as a result of new construction at three local facilities. Mr. Matthews noted that these proposals are each contingent upon the state receiving additional revenues.

Mr. Barry Green was very complimentary of the Department, remarking on its efforts to get state inmates out of local jails. Mr. Green told the Committee that the Governor is well aware of the overcrowding problem and has proposed several budget items, which should help alleviate this problem. Mr. Hickman noted that there is money in the proposed budget for three new facilities, but they are at least two years off.

Mr. Proffitt noted there were additional general comments and discussion prior to the conclusion of the Committee meeting. After the call for question and discussion on Mr. Proffitt's report, it was concluded. Though the report was for informational purposes only, a Motion was made by Mr. Burrell and seconded by Ms. Fraser to accept the report as presented. The *MOTION* was unanimously *APPROVED* by verbally responding in the affirmative (Burrell, Cahill, Fraser, Kallen, Maxey, Mitchell, Wright). As a tie-breaking vote was not necessary, the Vice Chairman's vote was not noted. The Chairman was absent.

#### **IV. Administration Committee (Mr. Cahill)**

##### **1. Overtime Report for 1<sup>st</sup> Quarter Ended September 30, 2003**

Mr. Cahill started off by saying the Committee found the figures in the report startling. There has been an increase of 96.86% in overtime over the same period last year. The Committee's discussion centered on the two causes of overtime, particularly at Wallens Ridge; number one being the large number of Department employees who have been activated by the military; and number two being the short-term disability issue. Wallens Ridge has 29 employees on short-term disability and 11 employees on military service, which numbers raised substantial concern. The Committee Chairman stated perhaps it would behoove the Department to look for alternative staffing programs as well as to perform a strong analysis of the disability program to see what can be done.

There being no further comments, the report was concluded. By *MOTION* duly made by Mr. Cahill and seconded by Mr. Mitchell, the report was unanimously *APPROVED* by a verbal response in the affirmative (Burrell, Cahill, Fraser, Kallen, Maxey, Mitchell, Wright). As a tie-breaking vote was not necessary, the Vice Chairman's vote was not noted. The Chairman was absent.

**V. Correctional Services Committee Report/Policy & Regulations (Ms. Maxey)**

By motion duly made by Ms. Maxey and seconded by Ms. Fraser, the following recommendations were presented to the Board for approval:

**Unconditional Certification** for:

**Pittsylvania County Jail; Probation and Parole District #3 (Portsmouth) and Probation and Parole District #12 (Staunton);**

And, **Unconditional Certification as a result of 100% compliance** with their certification audit for:

**Wythe County Lockup and Southampton Men's Detention Center;**

And, to **Continue Probationary Certification** for:

**Northampton County Jail with the Compliance & Accreditation Unit to check back in 90 days to reconfirm adherence to corrective plans of action.**

There being no discussion, the *MOTION* was unanimously *APPROVED* by verbally responding in the affirmative (Burrell, Cahill, Fraser, Kallen, Maxey, Mitchell, Wright). As a tie-breaking vote was not necessary, the Vice Chairman's vote was not noted. The Chairman was absent.

Jails achieving **100% compliance on their unannounced inspections** were noted for the record. This was provided for informational purposes only. No Board action is required. The facilities are: **Hampton City Jail; Loudoun County Adult Detention Center; Pittsylvania County Jail; and Wythe County Lockup.**

**Policy & Regulations**

**Motion to Adopt Amendments to Board By-Laws**

Ms. Maxey noted that each member had been provided verbiage for the proposed amendments prior to the meeting. She stated each for the record:

**Article V, §1**, Amend to repeal mention of Finance and Budget Committee in this subsection;

**Article V, §5**, Amend to Delete this subsection in its entirety;

**Article V, §6**, Becomes **Article V, §5**; and,

**Article VII**, Amend to change Board approval date to January 14, 2004.

After her statement, she read her proposed motion for the record: **"That the Board of Corrections adopts the Board's By-Laws, as amended."**

By *MOTION* duly made by Ms. Maxey and seconded by Mr. Cahill, the Motion was unanimously *APPROVED* by verbally responding in the affirmative (Burrell, Cahill, Fraser, Kallen, Maxey, Mitchell, Wright). As a tie-breaking vote was not necessary, the Vice Chairman's vote was not noted. The Chairman was absent.

For the record, Ms. Maxey noted there will be a proposed policy change for consideration by the Board in March. It involves new language relating to physical examinations for new probation and parole employees.

In addition, it was noted that Senator Ticer and Delegate Van Landingham were at the Committee's meeting in support of Guest House Residential Home in Alexandria, which facility has requested a variance to several Board Standards. As a result of conversation, the Committee has asked for additional information to be provided in March. A letter will be sent by the Board Chairman to the Senator and Delegate stating same.

For the record, in November, the Committee wrote to the Sheriff of Northampton County asking him to appear before them in January. By letter, the Sheriff responded that he had a conflict and would be unable to attend. He did not state what the conflict was. As a result and as previously noted, the facility will be maintained on probationary certification with the Compliance & Accreditation Unit to check back no sooner than 90 days. The facility advises it has caught up on its corrective plans of action but that has yet to be confirmed. For the record, it was noted that this facility has a long history of serious problems, including Life, Health, and Safety issues.

#### **VI. Other Business (Ms. Scott)**

Ms. Scott passed along the Director's greetings. She then referred members to an article appearing in the Richmond Times-Dispatch concerning Mr. Richard Ausley, a state inmate who was to have been the first person committed to the sexually violent predator program. She reported Mr. Ausley had been found dead in his cell at Sussex I State Prison the previous evening under suspicious circumstances. She stated that the matter is currently under investigation.

She then went on to illustrate some highlights of the Governor's Budget Bill as introduced and noted it was generally supportive of the Department. Then Mr. Leininger addressed the Board and provided each member with a copy of House Bill 112. He noted that this particular bill was put forth by Virginia CURE under the patronage of Delegate VanLandingham. The Bill provides for changing the number and composition of the Board of Corrections; and he noted that none of the current members would qualify under the new language. He remarked that the Department had noted its opposition to the Bill and suggested that it may be of some benefit for Board members to use their contacts and let their legislators know their feelings. Mr. Leininger also noted there is a companion bill in the Senate but was unsure of the number at the time. There are approximately 20 other bills that have been put forth by Virginia CURE. He summarized them for the Board. Mr. Leininger stated in closing he will provide the numbers to those bills to the Board for their information.

**VII. Closed Session**

There was no Closed Session as there were no items to be discussed.

**VIII. Member and General Comment**

Mr. Burrell suggested that he would like to receive the Board package in an electronic format in lieu of receiving a hard copy. Department staff stated they would look into the practicality of using this medium and if possible, would see that his package is sent electronically. No other Board members requested to receive the electronic format.

Mr. Proffitt reported that Mr. Alan Rasmussen had come through his surgery and was back on his feet and doing well.

There being no further discussion, the Vice Chairman moved to conclude the meeting.

**Future Meeting Plans**

**For the purposes of the record, the March meetings are scheduled as follows:**

**Liaison Committee** – 10:00 a.m., Board Room, 6900 Atmore Drive, Richmond, Virginia, March 16, 2004.

**Correctional Services/Policy & Regulations Committee** – 1:00 p.m., Board Room, 6900 Atmore Drive, Richmond, Virginia, March 16, 2004.

**Administration Committee** – 9:30 a.m., Room 3065, 6900 Atmore Drive, Richmond, Virginia, March 17, 2004.

**Board Meeting** – 10:00 a.m., Board Room, 6900 Atmore Drive, Richmond, Virginia, March 17, 2004.

**IX. Adjournment**

There being nothing further, by *MOTION* duly made by Mr. Mitchell, seconded by Mr. Wright and unanimously *APPROVED* by those members in attendance (Burrell, Cahill, Fraser, Kallen, Maxey, Mitchell, Wright), the meeting was adjourned. As a tie-breaking vote was not necessary, a vote by the Vice Chairman was not noted. The Chairman was absent.

*(Signature copy on file)*

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STERLING C. PROFFITT, VICE CHAIRMAN

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RAYMOND W. MITCHELL, SECRETARY